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## Full Text of California Initiative

**Initiative Title** NATUROPATHY

**Sec. of State #** 1952-a-1

**Year** 1952

**Qaulified?** Failed to Qualify

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### Summary

NATUROPATHY. INITIATIVE. Requires persons practicing as naturopathic physicians, naturopaths, and physical therapists to hold state license. Establishes Board of Naturopathic Examiners empowered to grant licenses, to examine license applicants, to accredit naturopathic colleges, to grant qualifying certificates to specialists and issue reciprocity certificates. Defines scope of practice and fixes minimum educational requirements for naturopathic physicians, naturopaths, and physical therapists. Authorizes suspension or revocation of licenses for unprofessional conduct. Entitles licensed naturopathic physicians to equal privileges with other physicians in clinics, hospitals, and public health facilities and to sign medical reports and certificates required by law.

**Initiative Text** ARTICLE 1. GENERAL PROVISIONS

#### Section 1. THE BOARD:

The term "board" as used in this act, refers to the Board of Naturopathic Examiners of the State of California.

#### Section 2. PROFESSION:

The term "profession" relates to the art and science of Naturopathy and to such other arts and sciences as may be included in the field of Naturopathy.

#### Section 3. ACCREDITING OF LICENTIATES UNDER OTHER ACTS:

Whenever any requirement is provided for any certificate, it shall be satisfied in the manner satisfactory to the board. The board shall have the power to grant credit to licentiates under the provisions of any act regulating the practice of the healing arts in the State of California for the hours of resident study in courses required under this act, and to further provide for the taking of additional courses of study in order to admit such applicants to examination in the additional subjects and upon passing such examination, such applicants shall be issued an appropriate license to practice hereunder.

#### Section 4. COURSE OF INSTRUCTION:

Whenever any course of instruction is required for any certificate hereunder, it shall be satisfied by a resident course of instruction. Whenever a resident course of instruction is mentioned in this act, the same shall be interpreted to mean classroom, laboratory, practical and clinical instruction required and given to the person physically present for the period prescribed for such instruction.

#### Section 5. APPROVAL OF SCHOOLS, LABORATORIES, HOSPITALS, AND CLINICS:

Whenever any requirement is provided for any certificate relating to a school, laboratory, hospital, or clinic, the school diagnostic laboratory, hospital, or clinic shall be one approved by the board.

#### Section 6. LOCATION OF OFFICE:

The principal office of the Board shall be located at the Business and Professions Building, Sacramento 14, California, Suboffices may be established in other cities in the State.

#### Section 7. ADDRESS REQUIREMENTS:

Each person holding a license to practice under this act shall file his proper and current mailing address and his business and residence address with the board at its office in Sacramento, California and shall immediately notify the board at its office of any and all changes of mailing address and business or residence address, giving both his old and new address.

#### Section 8. REGISTRATION OF LICENSE:

Each person holding a license under this act shall register his license with the County Recorder of the County wherein he has his principal place of business and shall file with the board a Notice of Recording of said license and the County of said recording together with the place of his business within thirty (30) days after receiving his certificate. Failure to comply with this provision shall withhold from the holder of the license the privilege to practice and shall constitute an automatic suspension of the privileges granted to him under the license he holds until such time as he complies with this section.

#### Section 9. DISCIPLINARY PROCEEDINGS:

All proceedings relating to refusal to grant, suspend or revoke a license to practice under this act, or in the nature of disciplinary proceedings shall be conducted in accordance with the provisions of Chapter 5, Part 1 of Division 3 of Title 2 of the Government Code.

#### Section 10. DELEGATION OF CERTAIN FUNCTIONS:

The power and discretion of the board to receive and file accusations; issue notices of hearing, statements to respondent, statements of issues, subpoenas, and subpoenas duces tecum; receive and file notices of defense; set and calendar cases for hearing; certify and deliver or mail copies of decisions; and perform other functions necessary to expedite the business of the board in connection with the conduct of the proceedings mentioned in Section 9 hereof, in accordance with the provisions of Chapter 5, of Part 1 of Division 3 of Title 2 of the Government Code, are hereby delegated to and conferred upon the Secretary-Treasurer of the board, or, in his absence from the office of the board, the Vice-President.

#### Section 11. TENSES, GENDER, AND NUMBER:

For the purposes of this act, the present tense includes the past and future tenses; and the future, the present; the masculine gender includes the feminine, and the feminine, the masculine; and the singular includes the plural, and the plural includes the singular.

#### Section 12. NATUROPATHY DEFINED:

For the purposes of this act, notwithstanding any other definition, or court interpretation heretofore rendered, "naturopathy is defined as a system of therapeutics which is based on the concept that the promotion, maintenance, and restoration of human health are dependent upon employing any and all means and methods to permit the inherent compensatory and recuperative forces of the human body to attain and perpetuate anatomical, physiological, and psychological well being."

#### Section 13. STUDENT PRACTICE:

Any regularly matriculated student in a school approved by the board may during, and as a part of, his regular course of study, but not for a period of more than two years, treat the sick and afflicted. Such student may receive compensation for rendering assistance in treatment from the school or college.

Except to the extent authorized by this section, no student may treat the sick or afflicted or receive compensation therefore, or otherwise practice.

### ARTICLE 2.

#### Section 1. CREATION OF THE BOARD:

There is hereby created a Board of Naturopathic Examiners of the State of California, which board shall consist of seven (7) members, citizens of the State for at least five (5) years, who shall be appointed by the Governor upon recommendation to him by the California Society of Naturopathic Physicians and Surgeons of the names of ten (10) or more persons having the degree of Doctor of Naturopathy.

#### Section 2. TERM OF OFFICE:

The Governor shall appoint three (3) members of the board to serve for a period of one (1) year; two (2) members of the board to serve for a period of two (2) years, and two (2) members for a period of three (3) years except as provided for in Article 2, Section 4 of this act. Subsequent appointments shall be for a period of three (3) years.

#### Section 3. SALARIES:

No person shall serve as a member of the board who is connected with any school or college as a trustee, director, or owner.

Not more than one member of the board shall be appointed from the faculty of any one university, college, or other educational institution.

Each member of the board, except the secretary-treasurer, shall receive a per diem of \$25.00 for each day during which he is actually engaged in the discharge of his duties, together with the actual and necessary traveling expenses incurred in connection with the performance of the duties of the office, such per diem, traveling expenses and other incidental expenses of the board or of its members to be paid from the funds hereinafter defined and not from the state's taxes.

The Board may draw upon the funds of the State Treasury to defray necessary expenses of the board to the amount of \$15,000.00, immediately upon the passage of this act, and which moneys

shall be paid to the contingent fund of the board. Funds collected by the Board during any one year which are in excess of \$15,000.00 shall at the beginning of each fiscal year be paid to the State Treasury until the original amount of \$15,000.00 has been repaid.

#### Section 4. APPOINTMENTS, VACANCIES AND REMOVALS:

Within thirty days of the date upon which this act takes effect, the Governor shall appoint the members of the board in accordance with the provisions of Article 2, Section 1. The board shall be empowered to accredit qualifications and to employ Examination Commissioners to administer examinations to qualified applicants certified by the board.

The board shall issue the appropriate certificates to practice to each applicant who passes the prescribed examinations. Each member of the board first appointed shall be issued a certificate to practice as provided by the provisions of Article 3, Section 4 of this Act.

An appointment to fill a vacancy shall be for the unexpired term only and each member of the board shall serve until his successor has been appointed and qualified.

The Governor may, after notice and hearing, remove any member from the board after receiving sufficient proof of the incompetence or misconduct of said member. However, a member who has been given notice of his removal shall have the right to appeal from the ruling to the Superior Court of the State of California to determine whether any injustice has been done and, in the event of a favorable ruling by the court, shall be reinstated. Such action shall be taken by Writ of Mandamus within thirty days from receipt of notice of removal. Pending any litigation the Governor shall appoint a member to the Board to fill the vacancy.

#### Section 5. MEETINGS:

The board shall hold one regular meeting annually beginning on the second Monday in January in the City of Sacramento and at least two additional regular meetings annually, one of which shall be held in the City of Los Angeles and the other in the City of San Francisco. The board may adjourn from time to time until its business is concluded. Special meetings of the board may be held at such time and place as the board may designate. Notice of each regular meeting shall be given in writing to each member of the board, by the Secretary-Treasurer thereof, at least two weeks prior to such meeting and publication shall be made in a daily newspaper published in the city wherein the meeting is to be held twice ... week for two weeks prior to the date of the meeting.

#### Section 6. DIRECTORY:

In each year, the board shall compile and may thereafter publish and sell a complete directory of all persons within the State of California who hold unforfeited and unrevoked certificates to practice under this Act.

#### Section 7. CONTENTS OF DIRECTORY:

The directory shall contain:

(a) The following information concerning each person designated in Section 6:

(1) The name and address of each person, listed alphabetically and also by counties.

(2) The names and symbols indicating his title.

(3) The school, attendance at which qualified him for examination or admission to practice.

- (4) The date of issuance of his certificate.
- (5) The form of certificate he holds.
- (b) The annual report of the board for the prior year.
- (c) Information relating to other laws of this State and other states which the board may determine to be of interest to its licentiates.
- (d) A full and accurate copy of the provisions of this act.

#### Section 8. INFORMATION:

The board may require the persons designated in Section 6 of this article to furnish such information as it may deem necessary to enable it to compile the directory. Every person so designated shall report immediately each and every change of residence, giving both the old and new address.

#### Section 9. EVIDENCE:

The directory shall be prima facie evidence of the right of the persons named in it to practice. The Secretary-Treasurer shall mail a copy of the directory, and all new issues and copies of supplements to it, to the last known address of each person listed in it, who has paid the annual fee for the current year.

#### Section 10. COMMISSIONERS OF EXAMINATION:

The board may appoint qualified persons to give the whole or any portion of any examination as provided for in this act, who shall be designated as Commissioners on Examinations. A Commissioner on Examinations need not be a member of the board but shall be subject to the same rules and regulations and shall be entitled to the same fee as if he were a member of the board.

#### Section 11. ELECTION OF BOARD OFFICERS:

The board shall convene within thirty (30) days after the appointment of its members, and shall organize, by the election of a President, Vice... President and Secretary-Treasurer, all to be chosen from the members of the board. Thereafter, elections of officers shall occur annually at the ...anuary meeting of the board. A majority of the members of the board shall constitute a quorum.

It shall require the affirmative vote of four (4) of the members of the board at any quorum to carry any motion or resolution, to adopt any ...le, or to authorize the issuance of any licenses provided for in this act.

#### Section 12. SECRETARY-TREASURER'S DUTIES AND SALARY:

The Secretary-Treasurer shall receive a salary to be fixed by the board, with the approval of the Director of Finance of the State, but not per diem, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties required by the office, and he shall give appropriate bond to the State in such sum and with such sureties as the board may deem satisfactory and proper.

The Secretary-Treasurer shall keep a record of the proceedings of the board which shall, at all times be open to the public for inspection during regular business hours. He shall keep an accurate register of all applicants for certificates under this act, together with the actual amount of all funds received and of all expenditures incurred or authorized by the board, and on the first day of

December of each year he shall file with Governor a report of all receipts and disbursements and of the proceedings of the preceding fiscal year.

### Section 13. OATH OF OFFICE:

Each member of the board shall be required to take an oath of office as proof attesting to the fact that he will faithfully and without prejudice carry out the functions that are required of him as a member of the board, which shall be administered in like manner as administered to other State Officers.

### Section 14. POWERS OF THE BOARD:

The board shall have the power;

- (a) To adopt a seal, which shall be affixed to all licenses issued by the board.
- (b) To adopt from time to time such rules and regulations as the board may deem proper and necessary for the performance of its work, copies of such rules and regulations to be filed with the Secretary of State for public inspection.
- (c) To examine all applicants to be issued certificates hereunder and to issue, suspend, and revoke licenses as herein provided.
- (d) To summon witnesses and take testimony as to matters pertaining to its duties; and each member shall have the power to administer oaths and take affidavits.
- (e) To enact rules pertaining to the ethics of the profession, which rules shall be printed and distributed to licentiates hereunder.
- (f) To appoint qualified persons to give the whole or any portion of any examination and to pay for such services as set forth in Article 2, Section 10 hereof. The examinations to license physical therapists may be given by commissioners who may be appointed by the board from names submitted to it by the California physical therapy associations.
- (g) To accredit schools and colleges teaching naturopathy and its allied branches in the various subjects to be taught under this act and to regulate the manner, type of studies and hours of study necessary to qualify for a certificate hereunder.
- (h) To evaluate and grant credit to applicants for the courses taken by them, in the subjects required under the provisions of this act.
- (i) To establish educational requirements and examine licentiates in specialty branches as stated in Article 3, Section 1 and, being satisfied that a licentiate hereunder shall have met the prescribed requirements and shall have demonstrated his proficiency in such specialty upon examination, shall issue to such licentiate, in addition to the certificate he already possesses, a special qualifying certificate designating thereon the right and privilege of the licentiate to hold himself out as a specialist. No person licensed under this act shall at any time hold himself out as a specialist in any branch of naturopathy until he has satisfied all the provisions of this section and has received a certificate from the board as herein set forth.
- (j) To prosecute all persons guilty of violating the provisions of this act and to employ inspectors, special agents, and investigators, any clerical assistance as it may deem necessary to carry out the provisions of this act, and to fix the compensation to be paid for such services and incur such other expenses as it may deem necessary. The Attorney General shall act as counsel for the board and his services shall be charged against it.

(k) To enter into contracts of reciprocity with other states wherein the standards are not in any degree less than are the standards set forth in this act, for the issuance of equivalent reciprocity certificates to practice.

(l) To declare and set fees for the yearly renewal of licenses.

(m) To waive yearly renewal of licenses on behalf of licentiates who are actively engaged in the services of any branch of the armed forces of the United States.

(n) To carry out the provisions of Article 1, Section 3 hereof.

### ARTICLE 3.

#### Section 1. CERTIFICATES TO BE ISSUED AND PRACTICE EXEMPT:

The board shall issue three forms of certificates to practice, under its seal and signed by the President and Secretary-Treasurer. The board ...all, as it deems advisable, issue special qualifying certificates under its seal and signed by the President and Secretary-Treasurer, in accordance with the provisions of Article 2, Section 1.

These certificates shall be designated as:

(a) Physical Therapist's Certificate

(b) Naturopathic Certificate

(c) Naturopathic Physician's Certificate

Section 2. All certificates issued hereunder shall state the extent and character of the practice permitted and shall be in the form prescribed by ...e board.

#### Section 3. PRACTICE AUTHORIZED BY THE PHYSICAL THERAPIST'S CERTIFICATE:

(a) The Physical Therapist's Certificate shall authorize the holder thereof to treat any bodily or mental condition of any person by the use of ... physical, chemical and other properties of heat, light, water, electricity, massage and active, passive and resistive exercises, and shall further permit the holder to treat by iontophoresis upon prescription by a licensed physician. The use of roentgen rays and radium for diagnostic and therapeutic purposes and the use of electricity for surgical purposes including cauterization are not authorized under the term "physical therapy" used herein, and a license issued in physical therapy shall not authorize the diagnosis of disease.

(b) "Physical Therapist" or "Physiotherapist" or "Physical Therapy Technician" shall mean one who practices physical therapy as defined herein and these terms shall be deemed to be identical and interchangeable.

#### Section 4. PRACTICE AUTHORIZED BY THE NATUROPATHIC CERTIFICATE:

A Naturopathic Certificate authorizes the holder thereof to use the prefix "Dr." and the word "Doctor" provided it is qualified by the term ...atuopath," or the suffix "N.D." and further authorizes the holder to diagnose, and treat human diseases, ailments, injuries, and deformities by ... prescription, compounding, and dispensing for oral use of substances and derivatives of botanical origin, such as herbs and other plants, their ...ious parts and extracts, and the further use of substances and derivatives of animal or vegetable origin including hormones, glandular extracts, ...logicals, and molds, vitamins, minerals, cell salts, and tissue remedies, any and all food and dietary supplements, and all hygienic and sanitary ...asures incident to the care of the human body, and the further use of such measures as physiotherapy, hydrotherapy, mechanotherapy,

electrotherapy, massage, and manipulations, and the use of orthopedic exercises and devices, and mental and emotional suggestion and conditioning, but shall not authorize the holder to use medicines by injection, synthetically prepared medicines, or to perform surgery.

#### Section 5. PRACTICE AUTHORIZED BY A NATUROPATHIC PHYSICIAN'S CERTIFICATE:

A Naturopathic Physician's Certificate authorizes the holder to use any and all titles permitted by the Naturopathic Certificate and in addition thereto permits the use of the title "Naturopathic Physician" or the designation "N.D." following the name of the licentiate. The Naturopathic Physician's Certificate further authorizes the holder to diagnose and treat human diseases, ailments, injuries, deformities and other physical and mental conditions by the prescription, compounding, use and administration, orally, parenterally or otherwise, of substances of botanical origin, such as herbs and other plants, their various parts and extracts, and the further use of substances and derivatives of animal, vegetable, or synthetic origin including hormones, glandular extracts, biologicals, and molds, vitamins, minerals, cell salts and tissue remedies, any and all food and dietary supplements, and all other therapeutic, hygienic, and sanitary measures and the further use of such measures as physiotherapy, hydrotherapy, mechanotherapy, electrotherapy, massage and manipulation, the use of orthopedic exercises and devices, and mental and emotional suggestion and conditioning, and it shall further authorize the practice of minor surgery and the use of anesthetics, but it shall not authorize the practice of major surgery, which is herein defined as that method of surgical procedure involving penetration of the abdominal, thoracic, or cranial cavity or the amputation of any major limb of the body, except as an assistant to a properly licensed physician and surgeon.

#### Section 6. BUSINESS AND PROFESSIONS CODE AND OTHER ACTS:

No provision of the Business and Professions Code relating to the practice of the healing arts or of any other law relating to the healing arts shall apply to any act, practice or proceeding of the board or any licentiate under this act which is done, performed, or taken in accordance with this act.

#### Section 7. VENUE RE PROCEEDINGS AGAINST THE BOARD:

Legal proceedings against the board may be instituted in any city wherein the board has its office or suboffice. Service of any summons may be made upon the Secretary-Treasurer or upon any member of the board, which service shall be binding upon the entire board. All actions instituted against the board shall be defended by the office of the Attorney General of the State of California.

#### Section 8. UNLAWFUL PRACTICE:

Any person who practices or attempts to practice or who advertises or holds himself out as practicing any system or mode of treating the sick or afflicted as permitted to licentiates under this act or who diagnoses, treats, operates for, or prescribes for any ailment, blemish, deformity, disease, disfigurement, disorder, or injury without having at the time of so doing a valid, unrevoked certificate as provided for in this act is guilty of a misdemeanor.

#### Section 9. REPRESENTATION AS A PHYSICAL THERAPIST:

Any Physical Therapist who uses in any sign or advertisement the word "Doctor," the letters or prefix "Dr.", or any person who uses any term or letters indicating or implying he is a Physical Therapist, without having at the time of so doing a valid, unrevoked certificate hereunder, is guilty of a misdemeanor.

#### Section 10. REPRESENTATION AS A NATUROPATH:



Any person who uses in any sign or advertisement the word, term, or suffix "Naturopath," "N.D." or "Physician" without having at the time of so doing a valid, unrevoked certificate under this act, is guilty of a misdemeanor.

#### Section 11. REPRESENTATION AS A NATUROPATHIC PHYSICIAN:

Any person who uses in any sign or advertisement or otherwise the term "Naturopathic Physician" or any other term or terms indicating or implying that he is a Naturopathic Physician or that he practices or holds himself out to practice as a Naturopathic Physician, without having at the time of so doing a valid, unrevoked certificate under this act, is guilty of a misdemeanor.

#### Section 12. EXEMPTIONS:

Nothing in this act shall be construed to prohibit service in the case of emergency or the domestic administration of family remedies, nor does this act apply to any medical personnel of the armed forces of the United States or to public health officials in the discharge of their duties, nor to any licensed physician and surgeon under the Medical Practices Act (Ch. 5, Div. 2, B. & P.C.) nor to any dentist, optometrist, chiropodist, or chiropractor when engaged exclusively in the practice of dentistry, optometry, chiropody, or **chiropractic**.

#### Section 13. CONSULTATIONS:

Nothing in this act applies to any practitioner from another State, when in actual consultation with a licensed practitioner of this State, if he is, at the time of the consultation, a licensed practitioner in the State in which he resides. But he shall not open an office or appoint a place to meet patients or receive calls within the limits of this State.

#### Section 14. DISCRIMINATION:

Nothing in this act shall be construed so as to discriminate against any particular school of the healing arts or any other treatment, nor shall it regulate, prohibit or apply to any kind of treatment by prayer, nor interfere in any way with the practice of religion.

### ARTICLE 4. APPLICATIONS GENERALLY, EDUCATIONAL REQUIREMENTS OF APPLICANTS AND EXAMINATION

#### Section 1. APPLICANTS:

The provisions of this article apply to all certificates issued by the board. An application for license to practice under the provisions of any certificate issued by the board shall be submitted on an application form prescribed by the board, accompanied by such evidence, statements or documents as therein required and filed with the board at its main office in Sacramento.

#### Section 2. FILING:

Each application for a certificate in the branch applied for shall be accompanied by the fee required by this act and shall be filed with the board at least two weeks prior to its regular meeting.

#### Section 3. INFORMATION:

All applications shall contain or have attached thereto:

(a) Testimonials of good moral character satisfactory to the board.

(b) Each diploma or transcript of credits issued by some legally chartered school approved by the board. The requirements of the school shall have been at the time of granting the diploma, in no

degree less than those required under this act. In lieu of any diploma the board may accept good evidence of the same having been granted to an applicant.

(c) An affidavit showing to the satisfaction of the board that the applicant is the person named in each diploma that he submits; that he is the lawful holder and that it was procured in the regular resident course of instruction and examination without fraud or deception.

#### Section 4. HIGH SCHOOL EDUCATION:

All applicants for a certificate to practice under this act shall enclose with their application a diploma from a high school giving and requiring a full four year course for graduation, or its equivalent.

#### Section 5. NATUROPATHIC PRE-REQUISITES:

All applicants for a certificate hereunder, who matriculate in their professional studies two or more years after the passage of this act, shall be required to produce satisfactory evidence of having earned a minimum of sixty semester units of college credit, which shall include the following:

(a) Inorganic chemistry .....	6 units	(b) Organic chemistry .....	4 units	(c) Zoology .....	10 units	(d) English .....	6 units	(e) Psychology .....	6 units	(f) Electives .....	28 units
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Proof satisfactory to the board shall be submitted that the applicant is the lawful holder of sixty semester units of college credit as set forth herein.

#### Section 6. PROFESSIONAL INSTRUCTION:

All applicants for any certificate issued by the board shall file evidence satisfactory to it, showing each legally chartered school, approved by the board, in which a resident course of professional instruction was pursued covering the minimum requirements provided for the particular certificate for which the application is filed.

#### Section 7. HOURS REQUIRED:

The hours required for any resident course of professional instruction shall be the actual work in the class room, laboratory, clinic or hospital approved by the board and at least 80% of actual attendance shall be required.

The hours required in any subject need not exceed 75% of the number specified, but the total number of hours in all the subjects of each group shall not be less than the total number specified for the group.

#### Section 8. RELIEF FROM DISAPPROVAL OF SCHOOLS AND COLLEGES:

If any school or college is disapproved by the board, or any applicant for examination is refused, the school or applicant may commence action in the Superior Court to compel the board to approve the school or applicant for examination or for any other appropriate relief. The court shall have full power to investigate and decide all facts anew without regard to any previous determination the board may have made. The action shall be speedily determined by the court and shall take precedence over all matters pertaining therein except criminal cases, applications for injunction or other matters to which special precedence may be given by law.

#### Section 9. REQUIREMENTS FOR THE PHYSICAL THERAPIST'S CERTIFICATE:

Every applicant for a Physical Therapist's Certificate shall comply with the provisions set forth in Article 4, Sections 4 and 5 of this act. In addition thereto he shall show by evidence satisfactory to the board that he has attended a course of resident instruction of not less than 1200 hours in the subjects herein enumerated and providing that the minimum period of training shall be 36 weeks.

(a) APPLIED SCIENCES (b) PHYSICAL THERAPY PROCEDURES Anatomy  
Electrotherapy Physiology Radiation Therapy (not including x-ray or radium) Psychology  
Hydrotherapy Physics Massage (correlated with other subjects) Therapeutic Exercise Pathology

#### Section 10. REQUIREMENTS FOR THE NATUROPATH CERTIFICATE:

Every applicant for a Naturopath Certificate shall present evidence satisfactory to the board that he has completed a resident course of study of not less than 4000 hours in a school or schools approved by the board. But these courses need not necessarily have been pursued continuously or consecutively. The requirements to be met in the resident course of studies shall be in accordance with the following schedule:

1. Anatomy (including dissection) .....	800 hours
2. Histology and embryology .....	150 hours
3. Biochemistry and toxicology .....	150 hours
4. Physiology .....	350 hours
5. Bacteriology and immunology .....	150 hours
6. Hygiene and sanitation and preventive medicine.....	150 hours
7. Pathology .....	350 hours
8. Diagnosis (including physical, clinical, laboratory, and x-ray diagnosis) .....	600 hours
9. Naturopathic general practice, neurology and psychiatry, orthopedics, pediatrics and geriatrics, dermatology and syphilology, and roentgenology.....	750 hours
10. Obstetrics and gynecology .....	150 hours
11. Electives (suggested electives: medical jurisprudence and ethics) .....	400 hours
<b>Total</b>	<b>4000 hours</b>

#### Section 11. REQUIREMENTS FOR THE NATUROPATHIC PHYSICIAN'S CERTIFICATE:

Every applicant for a Naturopathic Physician's certificate shall show evidence satisfactory to the board that he has attended an equal number of resident courses of professional instruction as set forth in Article 4, Section 10. In addition thereto he shall comply with the following schedule:

1. Parenteral therapy Anesthesiology Pharmacology Therapeutics .....	320 hours
2. Minor surgery .....	300 hours

#### Section 12. EXAMINATION:

(a) Examination of applicants for licensure shall be conducted semi-annually. The date shall be determined by the board and notice shall be published for a period of ten (10) days in a newspaper of general circulation at least two weeks prior thereto. Special examinations may be held at the discretion of the board.

(b) Each applicant, when seated in the examination room, shall receive an identification envelope wherein he will find three (3) printed slips of paper. Said applicant shall write his name and address as provided on each of these three (3) slips of paper, specifying thereon where mail may reach him within six (6) weeks after the date of the examination. Applicants shall insert all of said slips in the identification envelope and seal the envelope which shall be collected by one of the officers.

(c) The applicant shall inscribe the number on the envelope on each examination paper together with:

(1) Subject of examination

(2) Place of examination

(3) Date of examination

(d) Disclosure of the examination number shall disqualify the applicant.

(e) The questions pertaining to the examination shall be distributed as soon as the identification envelopes have been collected.

(f) During the examination no applicant will be permitted to have on the table whereupon he is writing any paper or object other than the examination questions, examination paper, a blotter furnished by the board, pen, ink, an eraser and watch.

(g) No applicant will be permitted to communicate in any way with any other applicant, nor will he be permitted to question any examiner in reference to or interpretation of the questions under consideration. Applicants must rely solely on their own judgment as to the meaning of each question, and on their own judgment as to the meaning of each question, and on their own knowledge of the subject in answering the questions. Any disturbance on the part of the applicant will disqualify him and he will be required to leave the examination room.

#### Section 13. AGE OF APPLICANTS:

No applicant under twenty-one years of age shall be admitted to examination before the board for licensure under this act.

#### ARTICLE 5. RECIPROCITY

##### Section 1. MARKING:

All certificates issued under this article shall be marked Reciprocity Certificate.

##### Section 2. APPLICATION:

The applicant shall pay a reciprocity fee as required by the board and shall file a verified application, on a form furnished by the board containing his full name and such other general information concerning his present practice or vocation as may be required by the board.

##### Section 3. CERTIFICATES:

He shall file a statement of each certificate that has been issued to him by any licensing authority to practice a system or mode of treating the sick or afflicted or for treatment as set forth in this act.

This statement shall contain the date of each certificate issued to the applicant and, if required by the board, the certificate itself. If a certificate has been lost, a copy may be filed, together with satisfactory proof thereof, with the board indicating that the copy is a correct one and that the certificate was issued to him without fraud or misrepresentation.

##### Section 4. CHARACTER AND PRIOR EXAMINATION:

The applicant shall submit evidence satisfactory to the board that he is of good moral character and that he has not failed in a written examination given by the board for a similar certificate under this act.

## Section 5. CERTIFICATE WITHIN 15 YEARS:

A certificate upon which this application is based shall have been issued to the applicant within a period of 15 years immediately preceding the filing of his application at the office of the board in the City of Sacramento. The applicant shall inform the board of all institutions from which he has been graduated and of all institutions where he has studied and the period of study.

## Section 6. STANDARDS:

He shall submit evidence satisfactory to the board that the requirements for the certificate that was issued were not in any degree or particular less than those required for the issuance of a similar certificate under this act.

## Section 7. RESIDENCE:

The applicant shall have been a resident of the state issuing the certificate upon which his application is based for a period of one year subsequent to its issuance or he may show two years of the licensed practice of his profession in another state.

## Section 8. INVESTIGATION:

The board may make an independent investigation of the educational qualifications and the character, ability, and professional standing of the applicant. If, after the board's investigation, it is established that the applicant has credit from any authority issuing his certificate in any degree less than the requirements provided in this act, at the time of the issuance of the certificate to him or that the applicant has not complied with the provisions of this act, the board may grant credit to the applicant for such subjects as are the equivalent of the subjects required hereunder and require the applicant to take further subjects of study and be examined in such subjects prior to issuing a certificate.

## Section 9. EXAMINATION:

The board shall afford the applicant an examination within six months subsequent to the filing of the application if he has met all of the requirements of the board.

## Section 10. ISSUANCE OF CERTIFICATE:

If, after the examination it is determined by a majority vote of the board that the applicant is qualified to practice under the provisions of the certificate for which he has applied in this State and that his reputation and standing in the community in which he has previously practiced are good, he shall be entitled to receive a reciprocity certificate.

## ARTICLE 6. REGISTRATION

### Section 1. COUNTY REGISTRATION:

The County Clerk shall keep a record of the register of each certificate issued by the board under this act, setting forth the fact and date of registration which shall also be endorsed on the certificate by the County Clerk registering the same.

### Section 2. CONTENTS OF REGISTER:

The register shall be alphabetically arranged and shall show:

- (a) The name of the person to whom the certificate is issued.

- (b) The form of certificate issued to him.
- (c) The scope of practice permitted thereunder.
- (d) The number and date of the certificate.
- (e) The date of its registration.

### Section 3. LIST OF CERTIFICATES:

The County Clerk shall keep a complete list of the certificates recorded by him in a book provided for this purpose. The book shall be open to public inspection during his office hours.

## ARTICLE 7. DENIAL, SUSPENSION, REVOCATION

### Section 1. DENIAL, SUSPENSION, REVOCATION:

Every certificate issued by the board may be suspended, revoked, or denied as provided in this article. The board shall refuse a certificate to any applicant guilty of unprofessional conduct.

### Section 2. BOARD TO TAKE ACTION:

The board shall take action against any holder of a certificate who is guilty of unprofessional conduct which has been brought to its attention or whose certificate has been procured by fraud or misrepresentation or issued by mistake or who is found to be practicing contrary to the provisions of this act.

### Section 3. ACTION ON RECIPROCITY CERTIFICATES:

The Board shall take action against any holder of any certificate whose certificate, upon which his reciprocity certificate was issued, was procured by fraud or misrepresentation or issued by mistake, or who is found to be practicing contrary to the provisions of this act.

### Section 4. REVOCATION BY OTHER STATE:

The revocation by another State of a license or certificate by virtue of which one licensed to practice in California has authority to practice... in the other State constitutes a ground for the board to take action.

### Section 5. CITATION:

On the filing with the Secretary-Treasurer of a sworn complaint charging a person with having been guilty of unprofessional conduct, the Secretary-Treasurer shall forthwith issue a citation, under the seal of the board. The citation shall be made returnable at the next regular session of the board occurring at least 30 days next after filing the complaint.

### Section 6. ANSWER:

The citation shall notify the person accused when and where the charges will be heard and that he shall file his written answer, under oath within 20 days next after the service on him of the citation or that default will be taken against him and, if he is applying for a certificate, and i... charged with unprofessional conduct, his application will be refused or, if he holds a certificate, he will be placed on probation, his certificat... suspended or revoked or other action taken.

### Section 7. SUBPOENAS:

The attendance of witnesses at such hearing may be compelled by subpoenas issued under the seal of the board by the Secretary-Treasurer. The citations and subpoenas shall be served in accordance with law. All the provisions of law relating to subpoenas and citations are provided for in this article.

#### Section 8. REFUSAL TO OBEY SUBPOENA OR CITATION:

If any person refuses to obey a subpoena or citation, the Secretary-Treasurer shall certify the fact to the Superior Court of the County in which the service was made. The Court shall thereupon proceed to hear the matter in accordance with the laws concerning contempt for disobedience of process of the court and, if the court finds that the subpoena or citation has been legally served and that the party so served has wilfully disobeyed it, the court shall proceed as provided for in a contempt of court case.

#### Section 9. DEPOSITIONS:

In all proceedings under this act, depositions of witnesses may be taken as in civil cases and all the provisions of law concerning the taking of depositions are applicable to the taking of depositions under this act.

#### Section 10. DEFAULT:

If the person accused fails to file his answer, under oath, with the Secretary-Treasurer within twenty (20) days after service of the citation on him, or within such further time as the board may allow, and the charges, on their face, are deemed sufficient by the board, a default shall be entered against him and disciplinary action taken or his application refused.

#### Section 11. HEARINGS:

If the charges on their face are deemed sufficient by the board and issue is joined in answer, the board shall determine the matter and to that end shall hear such proper evidence as may be adduced before it.

If it appears to the satisfaction of the board that person accused is guilty as charged, disciplinary action shall be taken or his application for a certificate shall be denied.

#### Section 12. DISCIPLINARY ACTION:

The board shall discipline the holder of any certificate whose default has been entered or who has been heard by the board and found guilty, by any of the following methods:

- (a) Suspending judgment.
- (b) Placing him on probation.
- (c) Suspending his right to practice for a period of not to exceed one year.
- (d) Revoking his certificate.
- (e) Take such other action in relation to disciplining him as the board may deem proper.

#### Section 13. SUSPENSIONS:

If the holder of a certificate is suspended, he shall not be entitled to practice during his term of suspension.

Upon expiration of the term of suspension he shall be reinstated by the board and shall be entitled to resume his practice, unless it is conclusively established that he has practiced in this State during the term of his suspension. If such is the case, the board may revoke his certificate.

#### Section 14. ENTRY OF ACTION:

The Secretary-Treasurer shall enter each case of disciplinary action on his records and shall certify the fact of suspension or revocation under the seal of the board to the County Clerk of the County in which the certificate of the licentiate is recorded.

#### Section 15. COUNTY CLERK'S RECORD:

The County Clerk shall thereupon write the following upon the margin or across the face of his register of the certificate:

"The holder of this certificate was on the.....day of.....suspended for....." or, "The certificate was revoked on the.....day of.....," as the case may be, giving the day, month, and year of such revocation or length of suspension in accordance with the certification to him by the Secretary-Treasurer of the board.

#### Section 16. EVIDENCE:

The record of suspension or revocation made by the County Clerk in accordance with Sections 14 and 15 of this Article is prima facie evidence of the fact thereof and the regularity of all the proceedings of the board in the matter of suspension or revocation.

#### Section 17. CRIMINAL ABORTIONS:

The procuring or aiding abetting or attempting or agreeing or offering to procure a criminal abortion constitutes unprofessional conduct hereunder.

#### Section 18. VIOLATIONS:

The violating or attempting to violate, directly or indirectly or assisting in or abetting the violation of or conspiring to violate any provision or term of this act constitutes unprofessional conduct within the meaning of this act.

#### Section 19. PROFESSIONAL SECRETS:

The wilful betraying of a professional secret constitutes unprofessional conduct within the meaning of this act.

#### Section 20. ADVERTISING:

All advertising which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons and so be harmful or injurious to public morals or safety constitutes unprofessional conduct within the meaning of this act.

#### Section 21. ADVERTISING:

All advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed constitutes unprofessional conduct within the meaning of this act.

#### Section 22. ADVERTISING:



Advertising, announcing or stating directly, indirectly, or in substance, by any sign, card, newspaper, advertisement or other written or printed sign or advertisement, that the holder of any certificate or any other person, company or association by which he is employed or in whose service he is, will cure or attempt to cure or treat any person or persons for any sexual disease, for lost manhood, sexual weakness, or sexual disorder or any disease of the sexual organs, or being employed by, or being in the service of any person, firm, association, or corporation so advertising, announcing or stating constitutes unprofessional conduct within the meaning of this act.

#### Section 23. CONVICTION OF CRIMES:

The conviction of a felony or of any offense involving moral turpitude constitutes unprofessional conduct within the meaning of this act The record of conviction is conclusive evidence of such unprofessional conduct.

#### Section 24. INSANITY:

The adjudication of insanity by a Superior Court constitutes unprofessional conduct within the meaning of this act. The record of the adjudication, judgment or order of commitment is conclusive evidence of such unprofessional conduct. But one whose certificate has been revoked for this cause may apply to the board for a reinstatement of his certificate upon restoration to or declaration of sanity.

#### Section 25. PURCHASE AND SALE OF DEGREES:

The purchase, sale, or barter, or offering to purchase, sell, or barter any degree, diploma, certificate or transcript made or purporting to be made, pursuant to any laws regulating the licenses and registration under this act, or the altering with fraudulent intent, in any material regard a diploma, certificate or transcript, or the use of any diploma, certificate or transcript that has been purchased, fraudulently issued, counterfeited or materially altered constitutes unprofessional conduct within the meaning of this act.

#### Section 26. FRAUDS:

The procuring by fraud or misrepresentation of any certificate provided for in this act constitutes unprofessional conduct within the meaning of this act.

#### Section 27. IMPERSONATIONS:

The impersonation of any applicant or acting as proxy for any applicant in any examination required under this act for a certificate constitutes unprofessional conduct within the meaning of this act.

#### Section 28. INTEMPERANCE:

Habitual intemperance or excessive used of dangerous drugs, derivatives, or compounds constitutes unprofessional conduct within the meaning of this act.

#### Section 29. EMPLOYEES:

The employing, directly or indirectly, of any suspended or unlicensed person in the practice of any system or mode of treating the sick or afflicted or the aiding or abetting of any unlicensed person to practice any mode or system of treating the sick or afflicted constitutes unprofessional conduct within the meaning of this act.

#### Section 30. NAMES:

The use of any fictitious name, or any name other than his own, by the holder of any certificate hereunder in any sign or advertisement in connection with his practice constitutes unprofessional conduct within the meaning of this act.

#### Section 31. TITLES:

The use by the holder of any certificate of any letter, letters, word, words, or term or terms either as prefix, affix or suffix indicating that he is entitled to practice a system or mode of treating the sick or afflicted for which he is not licensed constitutes unprofessional conduct within the meaning of this act.

#### Section 32. CAPPERS AND STEERERS:

The employment of "cappers" or "steerers" or other persons in procuring practice for a practitioner of a system or mode of treating the sick or afflicted provided for in this act constitutes unprofessional conduct within the meaning of this act.

### ARTICLE 8. CRIMES AND PENALTIES

#### Section 1. PENALTY FOR VIOLATIONS:

Unless it is otherwise expressly provided, any person who violates any provision of this act is guilty of a misdemeanor and shall be punished by a fine not less than \$50.00 nor more than \$500.00 or by imprisonment for a term of not less than thirty days and not more than 180 days, or both such fine and imprisonment.

#### Section 2. SALES OF CERTIFICATES:

Any person is guilty of a misdemeanor who, individually or in a representative capacity, sell or barter or offers to sell or barter any certificate authorized to be granted under this act or any diploma, affidavit, transcript, certificate or other evidence required in this act for use in connection with the granting of certificates or diplomas or who purchases or procures the same either directly or indirectly with intent that the same will be fraudulently used.

#### Section 3. ALTERATION:

Any person is guilty of a misdemeanor who, individually or in a representative or any other capacity, alters, with fraudulent intent, any diploma, certificate, transcript, affidavit or any other evidence to be used in obtaining a diploma or certificate required under this act or who uses or attempts to use fraudulently any certificate, transcript, affidavit or diploma, whether the same is genuine or false.

#### Section 4. PRACTICE UNDER FALSE NAME:

Any person is guilty of a misdemeanor who, individually or in a representative or any other capacity, practices or attempts to practice any system or mode of treating the sick or afflicted under a false or assumed name or under any name other than that prescribed by the board on its certificate issued authorizing him to administer such treatment.

#### Section 5. FALSE STATEMENT:

Any person is guilty of a misdemeanor who, individually or in a representative or any other capacity, assumes any degree or title not conferred upon him in the manner and by the authority recognized in this act with intent to represent falsely that he has received such degree or title or who, individually or in a representative or any other capacity, wilfully makes any false statement on any application for examination, license or registration under this act.

## Section 6. DISPLAY OF NAMES:

Any person is guilty of a misdemeanor who, individually or in a representative or any other capacity, engages in the treatment of the sick or afflicted without causing to be displayed in a conspicuous manner and in a conspicuous place in his office the name of each and every person who is associated with or employed by him in the practice of the healing arts.

## Section 7. INFORMATION:

Any person is guilty of a misdemeanor who, individually or in a representative or any other capacity, fails to furnish the board with the information required by this act within twenty days after a demand for it has been made by the Secretary-Treasurer, on behalf of the board.

This information shall consist of the name and address of all persons associated with or employed by him ... by any company or association with which he is or has been connected at any time within sixty days prior to the demand, together ... showing under and by what license or authority the person or persons, or the employee or employees is or are, or has or have been practicing the healing arts or any other system of treatment of the sick or afflicted.

Any person upon whom the board makes a demand for the information shall make an affidavit that there are no person or persons associated or employed by him, if this is the fact. The affidavit shall not be used as evidence against the person or employee in any proceedings under this act.

## Section 8. FILING CERTIFICATES:

Every person filing for record, or attempting to file for record, the certificate issued to another, falsely claiming himself to be the person named or entitled to the certificate, is guilty of a felony, and, upon conviction thereof shall be subject to such penalties as are provided by the laws of this State for the crime of forgery.

## Section 9. ISSUANCE OF CERTIFICATES:

Any person not a member of the board who signs or issues or causes to be signed or issued, any certificate issued by this act is guilty of a misdemeanor.

## ARTICLE 9. REVENUE

### Section 1. ANNUAL FEE:

The board shall have the power at all times to regulate any and all fees required for the filing of any application and the issuance of any certificate. Each person granted a certificate under the provisions of this act shall pay an annual registration fee in accordance with the following schedule:

- (a) The annual fee for one holding a certificate as a Physicial Therapist shall be \$10.00.
- (b) The annual renewal fee for one holding a certificate as a Naturopath shall be \$15.00.
- (c) The annual renewal fee for one holding a certificate as a Naturopathic Physician shall be \$20.00.

The board shall adjust or readjust all fees in accordance with the needs of the profession and the operating expenses of the board. Such adjustments or readjustment of fees shall be totally in the discretion of the board.

### Section 2. RECEIPT:

Payment of all monies from the filing of applications for examinations, the granting of certificates, and yearly renewal fees shall be paid to the Secretary-Treasury of the board and a receipt shall be issued as evidence that the holder of the certificate is entitled to practice the particular system for which it was granted to him for a period of one year from the first of January.

### Section 3. FAILURE TO PAY FEE:

The failure of any person holding a certificate to practice under this act to pay the renewal fee during the time his certificate remains in force shall immediately work as a forfeiture of a certificate and a suspension of his license to practice after a period of sixty days from the first day of January each year. It shall not be restored except upon written application and the payment of all delinquent fees required hereunder. No examination shall be required for the restoration of a certificate that was forfeited as a result of non-payment.

### Section 4. DISPOSITION OF FEES:

All money received by the board shall be paid into the contingent fund of the board of Naturopathic Examiners, which fund is hereby created. All of the money in said fund is hereby appropriated to the Board for expenditure in carrying out the provisions of this Act.

### Section 5. FINES AND FORFEITURES:

The sum of 75% of all fines imposed or forfeitures of bail collected by any officer of this state shall be paid upon collection, by the proper officer of the court, to the contingent fund of the Board.

The balance of 25% of the fines or forfeitures of bail shall inure to the benefit of and be paid to the county wherein the fine imposed or forfeiture of bail was paid.

### Section 6. DUPLICATE CERTIFICATE:

The board may issue a duplicate certificate to any person licensed under this act upon the payment to it of a certificate fee, to be determined by the board, to replace a certificate that has been either lost, stolen, or destroyed or to correct a change of name or when it is to the interests of justice that such a duplicate certificate be issued.

### Section 7. REPORT TO CONTROLLER:

All fees earned by the board and all fines and forfeitures of bail to which the board is entitled shall be reported at the beginning of each month, for the month preceding, to the State Controller.

### Section 8. REFUNDS:

The board shall refund all monies received by it illegally, by mistake, inadvertance or error.

## ARTICLE 10. RECOGNITION OF CERTIFICATE

### Section 1. OFFICIAL DOCUMENTS AND FORMS:

Whenever any statute of the State, the ordinance or measure of any County or City of the State specifies that any certificate, order, prescription or other document or form be signed by a physician, the requirements of such statute, ordinance, or measure shall be deemed to have been satisfied when such certificate, order, prescription, or other document or form is signed by a holder of a Naturopathic Physician's Certificate issued hereunder. Any law or parts of laws in conflict herewith are hereby repealed and declared null and void in relation to the provisions of this act.

### Section 2. RIGHTS AS A PHYSICIAN:

Any licentiate holding a Physician's Certificate hereunder shall have the same rights and privileges granted to any other physician in relation to all matters having to do with public health facilities, the operation of clinics, hospitals, and diagnostic laboratories. The denial of such rights and privileges in relation to licentiates hereunder shall ipso facto constitute grounds for legal action against any and all persons involved in such denial or interference.

### Section 3. CONSTITUTIONALITY:

If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The electors hereby declare that they would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.